

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>INFINITE COMMUNICATION, LLC</b>	)	<b>WC Docket No. 07-40</b>
<b>ASSIGNEE,</b>	)	
	)	
<b>NATIONSLINE NEW JERSEY, INC.,</b>	)	<b>DA 07-1107</b>
<b>NATIONSLINE DELAWARE, INC., AND</b>	)	
<b>NATIONSLINE NORTH, INC.</b>	)	
<b>ASSIGNORS,</b>	)	
	)	
<b>Application for Consent to Assign</b>	)	
<b>Certain Assets of Companies Holding</b>	)	
<b>International Authorization and Blanket</b>	)	
<b>Domestic Authorizations Pursuant</b>	)	
<b>to Section 214 of the Communications Act</b>	)	
<b>of 1934, as Amended</b>	)	

**REPLY COMMENTS OF NATIONSLINE**

NationsLine New Jersey, Inc. ("NationsLine NJ"), NationsLine Delaware, Inc. ("NationsLine DE") and NationsLine North, Inc. ("NationsLine North," and together with NationsLine NJ and NationsLine DE, "NationsLine"), by their attorneys, hereby respectfully request that the Commission restore the Application in the above referenced docket to streamlined status. The Commission should respectfully grant this request, because Verizon has conspicuously failed to comply with the Commission's rules of practice and procedure in filing its comments,<sup>1</sup> and, moreover, Verizon does not have any legitimate interest in the outcome of this proceeding.

---

<sup>1</sup> In light of Verizon's failure to comply with the Commission's rules of practice, as described herein, NationsLine respectfully requests that the Commission accept these comments late-filed.

On February 28, 2007, NationsLine and Infinite Communication, LLC (NationsLine, together with Infinite Communication, LLC, “Applicants”) filed their Domestic Section 214 Application for the acquisition of the assets of NationsLine by Infinite Communications Inc. (“Infinite”). On March 8, 2007, the Commission issued its Public Notice requiring all comments on the Application to be filed by March 22, 2007, and reply comments by March 29, 2007.

On March 30, 2007, counsel for Infinite was informed by Commission staff that comments had been filed by Verizon. Verizon, however, did not serve any of the parties to the proceeding, either in electronic or paper format, and did not attach proof of service to the pleading, as required by the Commission’s rules of practice and procedure. Verizon’s failure to comply with the Commission’s rules resulted in a prejudicial effect on NationsLine; the Applicants learned of Verizon’s filing only after the deadline for filing reply comments, delaying NationsLine’s ability to respond to these comments by more than a week.

Furthermore, Verizon’s pleadings do not state a single, cognizable reason to remove the Application from the streamlined process. 47 CFR 63.03(c) only permits the removal of a petition from streamlined consideration if (in relevant part):

- (iv) Timely-filed comments on the application raise public interest concerns that require further Commission review; or
- (v) The Commission, acting through the Chief of the Wireline Competition Bureau, otherwise determines that the application requires further analysis to determine whether a proposed transfer of control would serve the public interest.

In any case, the only permissible reasons for removal are reasons of “public interest.”

Verizon clearly failed to articulate any reason of “public interest” that would somehow justify removal. Indeed, the only reason Verizon does provide relates to Verizon’s *own* interests, which are certainly not those of the public.

Verizon’s purported interest as a potential creditor of CAT Communications International Inc. (“CAT Communications”), a nonparty to this proceeding, is absolutely irrelevant to the considerations of public interest on which the Commission is statutorily required to base its decision. The transaction at issue in this proceeding is an arm’s length transaction between two completely unrelated companies: NationsLine and Infinite. CAT Communications is simply not a party to this proceeding. Furthermore, CAT Communications does not, and never did, have any interest in the physical assets that are the subject of this Application.

Moreover, Verizon’s assertions surrounding the CAT Communications/Verizon dispute, though irrelevant here, are inaccurate and misleading. Verizon’s assertion that the New Jersey Board of Public Utilities’ (“Board”) October 27<sup>th</sup>, 2005 order found that CAT Communications owed Verizon \$12.4 million is not true. To the contrary, the Board specifically stated that it “does not find ... that sufficient evidence or the appropriate counter-claim has been prosecuted by [Verizon New Jersey] such that a finding can be made as to the actual dollar amount due and owing by CAT.” Neither the Board, nor any court, has determined that CAT Communications owes Verizon any specific amount of money. In any event, the Commission is obviously not the proper forum for consideration of such matters.

One may reasonably infer, from both its failure to comply with the practice rules and the substance of its comments, that Verizon’s actions are intended primarily for the purpose of obstruction and delay, clearly at odds with the purpose of the regulations under which such intervention is sought.

## **VI. CONCLUSION**

Based on the foregoing, NationsLine respectfully requests that Verizon's comments be struck and the Application be restored to the streamlined process.

Respectfully submitted,

**NationsLine New Jersey,  
Inc.**

**NationsLine Delaware, Inc.**

**NationsLine North, Inc.**

Stephen Athanson  
General Counsel  
NationsLine, Inc.  
PO Box 11845  
Roanoke, VA 24022-1845  
Tel: (540) 444-2169  
Fax: (540) 444-2133

  
Andrew M. Klein  
Allen C. Zoracki\*  
KLEIN LAW GROUP <sup>PLLC</sup>  
901 15th St., N.W., Suite 700  
Washington, D.C. 20005  
(202) 289-6955  
[AKlein@KleinLawPLLC.com](mailto:AKlein@KleinLawPLLC.com)

*Counsel for NationsLine, Inc.*

\*Admitted only in New York

Date: April 2, 2007

## VERIFICATION

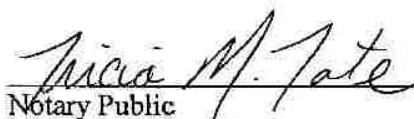
I, Stephen Athanson, am General Counsel of NationsLine New Jersey, Inc., NationsLine Delaware Inc., and NationsLine North Inc. ("NationsLine") and am authorized to represent it, and to make this verification on its behalf. The statements in the foregoing document relating to NationsLine, except as otherwise specifically attributed, are true and correct to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct.



---

Subscribed and sworn to before me this 2<sup>nd</sup> day of April 2007.

  
Notary Public

My Commission expires: 7-31-07

### CERTIFICATE OF SERVICE

I, Allen C. Zoracki, hereby certify that on this 2<sup>nd</sup> day of April, 2007, I served a true and correct copy of the Reply Comments of NationsLine in WC Docket No. 07-40, DA 07-1107 on the following by the means indicated below.

Stephen Athanson+  
General Counsel  
NationsLine, Inc.  
P.O. Box 11845  
Roanoke, VA 24022-1845

Steven A. Augustino+  
Kelley Drye & Warren LLP  
3050 K Street, NW, Suite 400  
Washington, D.C. 20007

Edward Shakin+  
Sherry A. Ingram  
Verizon  
1515 North Courthouse Road  
Suite 500  
Arlington, VA 22201-2909

James G. Pachulski+  
TechNet Law Group, P.C.  
1100 New York Avenue, NW  
Suite 365W  
Washington, DC 20005-3934

Jim Bird\*  
Office of General Counsel  
445 12<sup>th</sup> Street, SW, Room 8-C824  
Washington, DC 20554

Susan O'Connell\*  
Policy Division  
International Bureau  
445 12<sup>th</sup> Street, SW, Room 7-B544  
Washington, DC 20554

Dennis Johnson\*  
Competition Policy Division  
Wireline Competition Bureau  
445 12<sup>th</sup> Street, SW, Room 5-B155  
Washington, DC 20554

Tracey Wilson-Parker\*  
Competition Division  
Wireline Competition Bureau  
445 12<sup>th</sup> Street, SW, Room 5-A103  
Washington, DC 20554

Best Copy and Printing, Inc.+  
445 12<sup>th</sup> Street, SW, Room CY-B402  
Washington, DC 20554

  
Allen C. Zoracki

\* Via Email

+ Via U.S. Postal Service